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7 Attorney for Rigoberto Chavez-Tapia

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9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 RIGOBERTO CHAVEZ-TAPIA,  
15 Defendant.  
16

Case No. 2:17-cr-00225-APG-VCF-1

**STIPULATION TO CONTINUE  
PRETRIAL MOTION DEADLINES**  
(Second Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,  
18 Acting United States Attorney, and Kathryn Newman, Assistant United States Attorney,  
19 counsel for the United States of America, and Rene L. Valladares, Federal Public Defender,  
20 and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for  
21 Rigoberto Chavez-Tapia, that the previously ordered deadline for filing of pretrial motions be  
22 vacated and that the parties herein shall have to and including September 26, 2017, within which  
23 to file the Defendant's pretrial motions currently due August 25, 2017.

24 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
25 shall have to and including October 10, 2017, to file any and all responsive pleadings, currently  
26 due September 8, 2017.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they  
2 shall have to and including October 17, 2017, to file any and all replies to dispositive motions,  
3 currently due September 15, 2017.

4 The Stipulation is entered into for the following reasons:

5 1. Counsel for the defendant needs additional time to complete necessary research  
6 regarding a possible pretrial motion and time to discuss the results of the research with her  
7 client.

8 2. The parties agree to the continuance.

9 3. The additional time requested herein is not sought for purposes of delay, but  
10 merely to allow counsel for defendant sufficient time within which to receive and review  
11 additional discovery materials and to be able to effectively complete investigation of this case.

12 4. Additionally, denial of this request for continuance could result in a miscarriage  
13 of justice.

14 This is the second stipulation to continue filed herein.

15 DATED this 22nd day of August, 2017.

16 RENE L. VALLADARES  
17 Federal Public Defender

STEVEN W. MYHRE  
Acting United States Attorney

18 */s/ Nisha Brooks-Whittington*  
19 By \_\_\_\_\_

*/s/ Kathryn Newman*  
By \_\_\_\_\_

20 NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender

KATHRYN NEWMAN  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RIGOBERTO CHAVEZ-TAPIA,

7 Defendant.

Case No. 2:17-cr-00225-APG-VCF-1

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

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10 **FINDINGS OF FACT, CONCLUSIONS OF LAW**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. Counsel for the defendant needs additional time to complete necessary research  
14 regarding a possible pretrial motion and time to discuss the results of the research with her  
15 client.

16 2. The parties agree to the continuance.

17 3. The additional time requested herein is not sought for purposes of delay, but  
18 merely to allow counsel for defendant sufficient time within which to receive and review  
19 additional discovery materials and to be able to effectively complete investigation of this case.

20 4. Additionally, denial of this request for continuance could result in a miscarriage  
21 of justice.

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**ORDER**

IT IS THEREFORE ORDERED that the parties herein shall have to and including September 26, 2017, within which to file the Defendant's pretrial motions.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including October 10, 2017, to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including October 17, 2017, to file any and all replies to dispositive motions.

DATED this 23rd day of August, 2017.



UNITED STATES DISTRICT JUDGE